

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 78659 / August 24, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-14594

In the Matter of	:	
CREDIT SUISSE ALTERNATIVE	:	
CAPITAL, LLC (f/k/a CREDIT	:	
SUISSE ALTERNATIVE CAPITAL,	:	NOTICE OF PROPOSED
INC.), CREDIT SUISSE ASSET	:	PLAN OF DISTRIBUTION
MANAGEMENT, LLC, and	:	AND OPPORTUNITY
SAMIR H. BHATT,	:	FOR COMMENT
	:	
Respondents.	:	

Notice is hereby given, pursuant to Rule 1103 of the United States Securities and Exchange Commission’s (“Commission”) Rules on Fair Fund and Disgorgement Plans (“Rules”), 17 C.F.R. § 201.1103, that the Division of Enforcement has submitted to the Commission a proposed plan of distribution (the “Plan of Distribution” or “Plan”) for the distribution of monies paid in the above-captioned matter.

On October 19, 2011, the Commission issued an Order Instituting Administrative and Cease-And-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933 and Sections 203(e), 203(f), and 203(k) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions and Cease-and Desist Orders (“Order”)¹ against Credit Suisse Alternative Capital, LLC (f/k/a Credit Suisse Alternative Capital, Inc.) (“CSAC”), Credit Suisse Asset Management, LLC (“CSAM”), and Samir H. Bhatt (“Bhatt”) (collectively, “Respondents”) for violating various provisions of the federal securities laws. As set forth in the Order, CSAC, a registered representative, and Bhatt, the portfolio manager at CSAC, prepared the marketing materials for a largely synthetic collateralized debt obligation (“CDO”) known as Class V III that was structured and marketed by Citigroup Global Markets Inc. (“CGMI”). The marketing materials contained misrepresentations and omissions that defrauded investors. The Commission’s Order held CSAC and CSAM jointly and severally liable for a total of \$2,500,000 in disgorgement, prejudgment interest, and a civil money penalty, and Bhatt liable for a \$50,000 civil money penalty. The Respondents made the payments as required by the Order.

¹ Securities Act Rel. No. 9268 (Oct. 19, 2011).

The Order created a fund pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, as amended, for the funds paid by the Respondents (the “CSAC Fair Fund”). The CSAC Fair Fund is subject to the continuing jurisdiction and control of the Commission and the CSAC Fair Fund has been deposited in an interest-bearing account at the United States Department of Treasury.

OPPORTUNITY FOR COMMENT

Pursuant to this Notice, all interested persons are advised that they may obtain a copy of the Plan from the Commission’s public website at <http://www.sec.gov/litigation/fairfundlist.htm>. Interested persons may also obtain a written copy of the Plan by submitting a written request to Nancy Chase Burton, Esq., United States Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-5876. All persons who desire to comment on the Plan may submit their comments, in writing, no later than thirty (30) days from the date of this Notice:

1. to the Office of the Secretary, United States Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090;
2. by using the Commission’s Internet comment form (<http://www.sec.gov/litigation/admin.shtml>); or
3. by sending an email to rule-comments@sec.gov.

Comments submitted should include “Administrative Proceeding File No. 3-14594” in the subject line. Comments received will be publicly available. Persons should submit only information that they wish to make publicly available.

THE PLAN OF DISTRIBUTION

The CSAC Fair Fund is comprised of approximately \$2,550,000 paid by the Respondents to the Commission. As set forth in paragraph 6 of the Distribution Plan, the Distribution Plan seeks to transfer the CSAC Fair Fund, pursuant to Rule 1102(a) of the Rules, 17 C.F.R. § 201.1102(a), to the court registry account established in the related Commission action, *SEC v. Citigroup Global Markets Inc.*, Case No. 11-cv-7387 (S.D.N.Y.) (“CGMI Action”), to be combined with the CGMI Action’s distribution fund of approximately \$285,000,000 for distribution to harmed investors in accordance with a distribution plan to be established in that action.

For the Commission, by its Secretary, pursuant to delegated authority.

Brent J. Fields
Secretary